



Testimony of:
Save the Sound
a program of Connecticut Fund for the Environment



In Support of Senate Bill No. 440

**AA AUTHORIZING AMOUNTS IN THE CLEAN WATER FUND TO BE
USED FOR PHOSPHOROUS REMOVAL**

Before the Planning and Development Committee

March 21, 2012

Submitted by Leah Schmalz, Dir. of Legislative and Legal Affairs

Save the Sound is a regional program dedicated to the restoration and protection of Long Island Sound; together with its parent organization, Connecticut Fund for the Environment ("CFE"), a statewide non-profit environmental advocacy organization, it represents over 5,400 members. Since 1978, CFE has used law, science and education to improve Connecticut's environment.

Dear Senator Cassano, Representative Gentile, and members of the Planning and Development Committee:

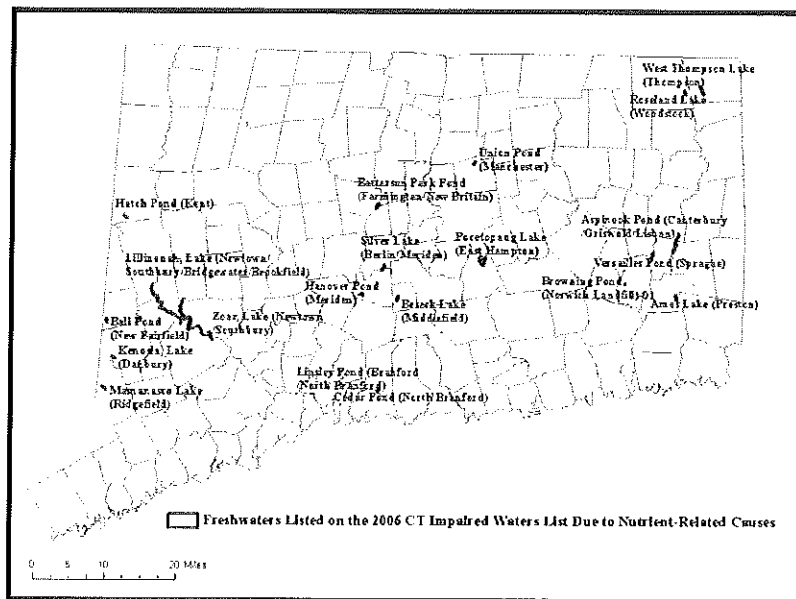
Save the Sound, a program of Connecticut Fund for the Environment submits this testimony in support of Raised SB 440. If passed, this legislation would explicitly permit phosphorous upgrades to be eligible for Clean Water Fund support and set a minimum 30%/70% grant to loan ratio for those phosphorous projects selected under the Connecticut Department of Energy and Environmental Protection's (CTDEEP) priority list. These projects will improve water quality, especially in inland waterbodies, and create jobs.

1. Excess phosphorous impairs water quality

Nitrogen has long been a pollutant targeted for reduction at Connecticut's wastewater treatment facilities. Impacts of the nutrient on Long Island Sound are well established and publicized. While funding for the Clean Water Fund has fluctuated over the years, the seasonal dead-zones in the western Sound and a total maximum daily load deadline of 2014 have ensured dedication to the nitrogen removal program when any money was available. Phosphorus on the other hand has not acquired the same level of focus.

Nutrients, like nitrogen and phosphorus are essential to plants and animals. But, increased inputs from agriculture and lawn care fertilizers can cause excessive algae growth. This leads to decreased oxygen, making it difficult or even impossible for fish and other wildlife to survive. Excess algae also limit recreational fishing, boating and swimming. The United States Environmental Protection Agency (EPA) has declared nutrients as one of the leading causes of water quality impairment in our country's rivers, lakes and estuaries and has required states to develop water quality criteria.

CTDEEP has identified 20 waterbodies throughout the state that are currently impaired for nutrients. These waterbodies do not meet water quality standards, the foundation of pollution control under the Clean Water Act, and are listed on the state's 303d list.



Additionally, while phosphorus' effect on freshwater systems is known, concerns about its impact on Long Island Sound are growing. For example, phosphorus inputs to Long Island Sound salt marshes could be accelerating decomposition, reducing the accumulation of organic matter and contributing to salt marsh drowning.

2. Upgrades to existing sewage treatment plants are necessary & must be funded

Steps to curb phosphorus have been taken. Connecticut has limited phosphorus in detergents and is

considering a bill this session to limit phosphorus in lawn care (see SB 254). However, one of the most direct methods to cut phosphorus in the state's waterways is to limit phosphorus discharged at sewage treatment plants. These upgrades are needed to guarantee healthy water quality statewide, and are not a choice.

To ensure compliance with the Clean Water Act, EPA and CTDEEP are rightfully requiring that municipalities upgrade water pollution control facilities (WPCF) to remove excess phosphorus. Currently, CTDEEP has identified 34 WPCF that will require phosphorous upgrades; these range from minor to major projects. This action will aid in delisting waterbodies from the 303d list and protect other nutrient impacted waterbodies from worsening.

While, 22a-478(a) provides generic Clean Water Fund eligibility for water quality projects, SB440 would provide explicit intent to fund phosphorous removal, providing it with a priority status comparable to nitrogen. This is an important designation as competing interest weigh on the limited funding available through the Clean Water Fund. Furthermore, SB440 provides a funding schedule that would provide at least a 30% grant and 70% low-interest loan for those eligible phosphorous projects selected through the Clean Water Fund Priority List, somewhat easing the mandate's burden on municipalities.

3. The Clean Water Fund, and these phosphorous upgrades are good for the economy

The vision for healthy Connecticut waters that sustain a vibrant wildlife population, promote the local fishing and dining industry and support tourism with open and clean rivers and beaches has the added benefit of producing high quality jobs. While these are projects that ultimately protect human health and the environment, like the \$8 billion/year economic-driver Long Island Sound, they are also short and long term job producers and enhancers. Authorizations and allocations for the Clean Water Fund from FY 2008 through FY2013 are expected to have created or retained over 23,000 jobs in design, engineering, and construction. And once projects are complete and water quality improved existing industries and tourism can begin to grow additional job capacity.

Thank you for your consideration

Sincerely,

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